



Practitioner's Docket No. IB-1529

EV 459421137 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ka-Ngo Leung

Application No.: 09/641,467

Group No.: 2881

Filed: August 17, 2000

Examiner: Jack Berman

For: Ion Beam Lithography System

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL OF ABANDONMENT

INFORMATION FOR WITHDRAWAL OF ABANDONMENT—
PTO HAS NO EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED

REQUEST

1. Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of the Notice of Abandonment mailed by the PTO on January 3, 2005.

SUBMISSION

2. Submitted herewith is:

A copy of the page of the response mailed on September 28, 2004, showing a Certificate of Mailing executed on September 28, 2004.

A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated October 4, 2004.

CERTIFICATE OF EXPRESS MAILING OR FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage for "Express Mail Post Office to Addressee" service with label "EV 459421137 US" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Type/Print) Joseph R. Milner, Registration Number 42,896

Signature

Date

January 11, 2005

A copy of a United States Postal Service "Proof of Delivery" document dated January 7, 2005 identifying the delivery of Express Mail item EV45 9420 953US to the U.S. P&T Office delivered on 9/30/2004 at 10:01 AM bearing the signature of Mary Boston. Mary Boston appears to be a USPTO employee in the Office of Administrative Services with phone number (571)272-9010. The document bears the mark "ANNED" which is likely a partial stamp of "SCANNED".

A copy of the complete response previously filed.

STATEMENT

3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above based on a showing believed to be satisfactory to the Commissioner.
4. Please proceed with issuance of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

5. Acknowledgment of the active status of this application is respectfully requested.

Date: 1-11-2005



Signature of Practitioner

Reg. No.: 42,896
Tel. No.: 510-486-4672
Customer No.: 08076

Joseph Ray Milner
Lawrence Berkeley National Laboratory
One Cyclotron Road
Mail Stop 90B-0104
Berkeley, CA 94720



**UNITED STATES
POSTAL SERVICE.**

PROOF OF DELIVERY

Date: 01/07/2005

JOSEPH R MILNER:

The following is in response to your 01/07/2005 request for delivery information on your Express Mail item number EV45 9420 953U S. The delivery record shows that this item was delivered on 09/30/2004 at 10:01 AM in ALEXANDRIA, VA 22313 to B BOSTON. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section
Mary Boston
P & T OFFICE

Address of Recipient:

P. O. BOX 1450
Alexandria, VA 22313

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Response Calendared 11/14

1B-1529 Attorney Initials

U.S. Serial No.: 08/641,467B-1529

Filed: 08/17/2000

FOR: Ion Beam Lithography System

Inventor(s): Ka-Ngo Leung

IN RECEIPT OF:

Transmittal Form (1p)

RESPONSE TO NOTICE REGARDING DRAWINGS (1p)

Formal Drawings (23p)

PTO-948 Draftsperson's Patent Drawing Review (copy)

Notice Regarding Drawings (2p)

ChargeDeposit Acct 120690

and Return Postcard

Joseph R. Milner, Reg. No. 42,896

For the Regents of the University of California

DATED: 9/28/2004 EV459420953

RECEIVED

OCT 04 2004

Patenting Law
13

OCT - 8 2004



EV 459420953 US

Mailing Label
Label 11-F June 2002

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

| ORIGIN (POSTAL USE ONLY) | | | | DELIVERY (POSTAL USE ONLY) | | | |
|--|---|----------------------------|---------------|--|---|--------------------|--|
| PO ZIP Code | Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/> | Flat Rate Envelope | | Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature | |
| Date In Mo. Day Year | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ | | Mo. Day | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature | |
| Time In <input type="checkbox"/> AM <input type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee | | Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature | |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee | Insurance Fee | Mo. Day | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature | |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials | Total Postage & Fees \$ | | <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. | | | |
| CUSTOMER USE ONLY | | | | NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | | | |
| METHOD OF PAYMENT: Express Mail Corporate Acct. No. X947254 | | | | Federal Agency Acct. No. or Postal Service Acct. No. | | | |
| FROM: (PLEASE PRINT) PHONED 510 486-7058 LAWRENCE BERKELEY NATIONAL LABORATORIES 1 CYCLOTRON RD MAIL STOP 90-1121 BERKELEY CA 94720-8028 IB-1529 | | | | TO: (PLEASE PRINT) PHONE () Steven Fields Office of Patent Publication Publishing Division Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | |
| PRESS HARD. You are making 3 copies: FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com | | | | | | | |

30/ 100

F:02 T:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IB-1529

U.S. Serial No.: 09/641,467

Filed: 08/17/2000

FOR: Ion Beam Lithography System

Inventor(s): Ka-Ngo Leung

IN RECEIPT OF:

Transmittal Form (1p)

RESPONSE TO NOTICE REGARDING DRAWINGS (1p)

Formal Drawings (23p)

PTO-948 Draftsperson's Patent Drawing Review (copy)

Notice Regarding Drawings (2p)

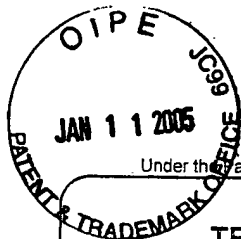
Charge Deposit Acct 120690

and Return Postcard

Joseph R. Milner, Reg. No. 42,896

For the Regents of the University of California

DATED: 9/28/2004 EV459420953



COPY

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | |
|---|-----------------------------|--------------------|
| Application Number | 10/443.574 | |
| | Filing Date | May 22, 2003 |
| | First Named Inventor | William A Barletta |
| | Art Unit | 2881 |
| | Examiner Name | Bernard Souw |
| Attorney Docket Number | IB-1579 | |
| Total Number of Pages in This Submission | 27 | |

ENCLOSURES (Check all that apply)

| | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Return Postcard Express Mail Label EV459420953; PTO-948 (copy); Notice Regarding Drawings (copy); and Response To Notice Regarding Drawings |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Please Charge any credit/deficiencies to LBNL Deposit Acct#120690 | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------------------------|--|
| Firm or Individual name | Joseph R. Milner; Lawrence Berkeley National Laboratory; Cust no. 08076 |
| Signature | <i>Joseph R. Milner</i> |
| Date | 9/28/2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|------------------------------|-------------------------|-------------|------------|
| Typed or printed name | Joseph R. Milner | | |
| Signature | <i>Joseph R. Milner</i> | Date | 09/28/2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



 **COPY**

IB-1529

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ka-Ngo Leung

Ser. No.: 09/641,467

Filed: 8/17/2000

For: Ion Beam Lithography

Art Unit: 2881

Examiner: Jack Berman

RESPONSE TO NOTICE REGARDING DRAWINGS

Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

Stephen Fields
Office of Patent Publication
Publishing Division

Enclosed are 23 sheets of formal drawings for the subject patent application as required by the Notice of Draftsperson's Patent Drawing Review dated September 15, 2004.

Subject to the Examiner's approval, please substitute the enclosed drawings for the drawings previously submitted August 17, 2000.

Attached are copies of the following documents:

- PTO-948 Draftsperson's Patent Drawing Review (Copy)
- Notice Regarding Drawings (Copy)

The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. **12-0690**. The assignee also claims small entity status, 37 CFR 1.27.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:


MAILING

☒ deposited with the United States Postal Service with sufficient postage as Express mail **EV459420953** in an envelope addressed to the Commissioner for Patents, Alexandria, VA. 22313-1450.

Date: 9/28/2004

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

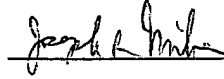


Signature

Joseph R. Milner
(type or print name of person certifying)

 **COPY**

Respectfully submitted,



Dated: September 28, 2004

Joseph Ray Milner, Reg. No. 42,896
Attorney for Applicant
Lawrence Berkeley National Laboratory
Office of the Laboratory Counsel
1 Cyclotron Rd, M/S 90B
Berkeley, CA 94720



COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

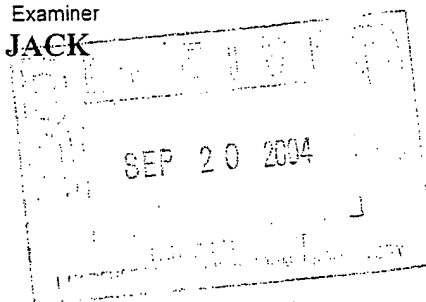
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMES APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/641467 | 08/17/2000 | LEUNG, KA-NGO | IB-1529 |

Henry P Sartorio
Lawrence Berkeley Nat 'l Lab Patent Dept
One Cyclotron Road MS 90-1121
Berkeley CA 94720

Response Calendar: hny
Attorney Initials: 1529
File: IB-1529

Examiner
BERMAN, JACK

Art Unit
2881



Date Mailed: September 15, 2004

Notice Regarding Drawings

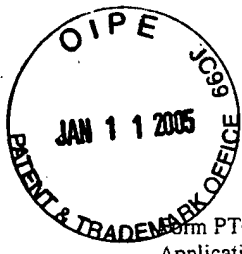
Corrected drawings for the above-identified application, received in the USPTO on 8-17-00 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Steven Fields
Office of Patent Publication
Publishing Division
(703) 305-8335



COPY

Form PTO-948 (Rev. 06/03)

Application No. 09/641467

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 8/17/00 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable. Fig(s) _____

☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) 1

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) _____
☐ Top (T) ☐ Left (L)
☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1, 4-20

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____

☒ Solid black shading not permitted. Fig(s) 1, 3, 6A

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1-4, 6A-9, 16

☒ Figure legends are poor. Fig(s) 1-20
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS.

37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate. Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

- Remove titles. FIG. 3-5, 7-16, 18, 20

Reviewer S. Fields (703) 305-8335

If you have questions, call (703) 305-8404.

Steven Fields (703)

Date 9/15/04

Attachment to Paper No. _____